



Memorandum

To: State and Local Government Entities in Mississippi
From: Craig P. Orgeron, Ph.D. *OK*
Date: May 25, 2018 (*Revised July 20, 2020*)
Re: Instructions for Use for Statewide Master Cellular Voice and Data Services and Equipment Contract (RFP No. 3820)

1. Introduction

- 1.1. In December 2015, ITS issued RFP No. 3820 for Statewide Cellular Voice and Data Services and Equipment meeting the requirements of Miss. Code Ann. § 25-53-191(4). This code requires that a list of approved vendors for the procurement of wireless communication devices and the delivery of wireless communication device services be developed by ITS.
- 1.2. State agencies and public universities purchasing cellular devices and services must use this award, following this Instructions for Use Memorandum. Miss. Code Ann. § 25-53-191(6) requires the selection of 'the lowest cost cellular...device which will carry out its intended use.'
 - 1.2.1. State agencies and public universities with coverage and/or functionality requirements that cannot be met by either awarded vendor should follow the instructions outlined in Item 7 below, labeled *Exceptions to the Master Cellular Voice and Data Services and Equipment Agreement*. Based on the total cost of the purchase, Wireless Communication Commission approval may also be required.
- 1.3. Local governing authorities or other governmental entities not under ITS' purview may choose to use this award. When doing so, they must follow this Instructions for Use Memorandum.
- 1.4. Miss. Code Ann. § 25-53-191(4) allows for the option of selecting one or multiple vendors on the basis of the lowest and best proposals. RFP No. 3820 was awarded to AT&T Mobility and to C Spire, as the lowest and best responders to the RFP. The evaluation for this award was based on functional, technical and cost components, with the 2 awarded vendors meeting or exceeding the RFP requirements and offering competitive pricing.
- 1.5. This Instructions for Use Memorandum requires users to consider the offerings of both awarded vendors and select the lower cost quote, following the details outlined below.

Users are wholly responsible for the documentation of requirements in their requests for quotes.

2. Master Contract Effective Dates

The Master Cellular Voice and Data Services and Equipment Agreement is valid from July 1, 2016 through June 30, 2021.

3. Who Must and Who May Use

- 3.1. State Agencies and Public Universities procuring Cellular Voice and Data Services and Equipment are required to use this award.
- 3.2. Community/junior colleges and other local governing authorities (cities, counties, school districts, etc.) may use this award. When a local governing authority or other governmental entity not under ITS' purview chooses to use this award, they must follow all points of this Instructions for Use Memorandum.
- 3.3. The Master Cellular Voice and Data Services and Equipment Agreement is a multi-vendor award that meets Mississippi requirements for legal purchases, when used as outlined in this Instructions for Use Memorandum. Further, the contract meets E-Rate requirements.

4. Dollar Limitations of Use

There is no dollar limitation of use with the Master Cellular Voice and Data Services and Equipment Agreement.

5. Scope

5.1. Plans

The Master Cellular Voice and Data Services and Equipment Contract provides for quick purchasing of various cellular services and equipment, using various plans and equipment. Plans include:

- Voice only
 - Minimum Usage (flat rate plans)
 - Pooled Usage
 - Unlimited Usage
- Data only
 - Limited (by the unit) Usage (e.g., 3 GB, 5 GB)
 - Unlimited Usage
 - Pooled/Shared Data Usage
- Voice and Data
 - Unlimited Voice, by Unit Data
 - Unlimited Voice, Pooled/Shared Data
 - Pooled/Shared Voice, by Unit Data
 - Pooled/Shared Voice, Pooled/Shared Data
 - Pooled/Shared Voice, Unlimited Data

5.2. Purchase of iPads

- 5.2.1. State agencies and public universities making a new purchase of Apple iPads for use with cellular service **MUST** buy the iPads from the Master Cellular

Voice and Data Services and Equipment Agreement. The same policies that apply to cellular devices for voice and data, apply to iPads.

6. Use of the Master Cellular Voice and Data Services and Equipment Agreement

6.1. Selection of a Vendor

- 6.1.1. ITS has delegated the selection of a vendor to users that follow these instructions for use.
- 6.1.2. Users must request **identical** quotes from both awarded vendors, separately, via e-mail, clearly stating requirements.
 - 6.1.2.1. Users must fully document requirements in the request for quotes, including details related to coverage and functionality, along with the specific business need for such requirements.
 - 6.1.2.2. Requests for quotes must include the number and type(s) of plan(s) and/or equipment needed.
- 6.1.3. Users must copy the following e-mail address in the request: cellular@its.ms.gov. While it is permissible to meet with the awarded vendors, the request and final quotes must be sent to cellular@its.ms.gov. ITS will periodically audit quotes to ensure appropriate use of the Agreement. Vendors will use 'Reply to All' so that the cellular@its.ms.gov e-mail box receives a copy of the quote.
- 6.1.4. Requests for quotes from AT&T Mobility should be sent to: Rob.McClure@att.com.
- 6.1.5. Requests for quotes from C Spire should be sent to: msgov@cspire.com.
- 6.1.6. Users must not share a vendor's quote with any other vendor until after a selection is made. Once a selection is made both vendors may be made aware of the selection.
- 6.1.7. Users must select the lower quote, assuming both quotes meet the requirements outlined in the request for quotes.
 - 6.1.7.1. To calculate the total cost of the quote, the user must fully document assumptions about how the cellular service will be used during the term of the agreement.
 - 6.1.7.2. During the evaluation process, the user must compare the costs as apples-to-apples, and document any assumptions made and the justification for the selection. This documentation is wholly the responsibility of the user and must be maintained as part of the purchase file, subject to periodic audit by ITS.
 - 6.1.7.3. Users must validate quotes against pricing in the Agreement to ensure they are receiving the contract price or less. Approved Plan pricing, base pricing, and current pricing for equipment can be found on the AT&T Mobility and the C Spire Websites for the State of Mississippi located at:
<http://www.its.ms.gov/Services/Pages/Cellular.aspx>.
- 6.1.8. Should either awarded vendor be unable to provide the required coverage or functionality, that vendor must note such in their quote. The user may

eliminate from consideration the quote that does not meet the documented requirement(s).

- 6.2. ITS will periodically audit cellular bills. This will be for the benefit of the customer to ensure that the customer is receiving the appropriate plans and the best price from the selected vendor and that the invoice matches the quote. ITS will assist users in obtaining the most appropriate plans, if requested.
- 6.3. Vendors may quote rates less than those in the Agreement, and the rates for the plans in that quote must be valid for the life of the contract or until the user re-quotes. Vendors cannot raise the price at a later date for that user. For example, if a user purchases 10 plans at \$5.00/plan, those plans for those devices cannot increase. The selected vendor may honor that price for additional plans/devices ordered by that user, but is not required to do so.
- 6.4. After entering into an agreement with the selected vendor, users should not request a re-quote any sooner than two years following the date the original vendor is chosen by the user. Any requotes, or quotes for new/additional service, must follow the instructions in item 6.1 above.
- 6.5. For additional devices, if a user is adding a device to an existing plan, the user is not required to obtain a new quote. Using the example in 6.3, if the user is adding an additional device to the \$5.00/plan, it is not necessary to get a new quote. If the user is adding a new device that requires a different plan (such as unlimited voice and unlimited data), the user must obtain a quote from both vendors. Users must follow the instructions in item 6.1 above.
- 6.6. ITS recognizes that some governing authorities may wish to contract for a term shorter than 24 months, based on case law and Mississippi Attorney General's Opinions related to 'governing authorities not binding their successors in office.' Governing authorities wishing to contract for a term shorter than 24 months must include in their quote the length of the desired term. The awarded vendors are not obligated to provide quotes for less than a 24-month term in this situation.

7. Filing of an Acceptable Use Policy with ITS

Miss. Code Ann. § 25-53-191(5) requires that state agencies and public universities adopt and file with ITS an Acceptable Use Policy that is at least as stringent as the model policy published by ITS. State agencies and public universities may file their Acceptable Use Policy at cellular@its.ms.gov. For questions concerning the Policy, please email cellular@its.ms.gov.

8. Vendor Ordering Information

Provided in the tables below is contact information for AT&T Mobility and C Spire, including addresses for placing your order and remitting payment.

Contact Information AT&T Mobility		
Mississippi Account Manager Rob McClure Cell: (601) 497-7691 Fax: (678) 319-4618 e-mail: Rob.McClure@att.com		
Place Order To	Remit To	
AT&T 209 East Capitol Street Jackson, MS 39201	AT&T Mobility P. O. Box 6463 Carol Stream, IL 60197-6463	
For MAGIC Customers	Contract Number	Supplier Number
	8500000381	3100022966

Contact Information C Spire		
Mississippi Account Manager Janice Fitzgerald Cell: (601) 664-8880 e-mail: msgov@cspire.com		
Place Order To	Remit To	
C Spire Attention: Janice Fitzgerald 1018 Highland Colony Parkway Suite 520 Ridgeland, MS 39157	C Spire P. O. Box 798 Meadville, MS 39653-0798	
For MAGIC Customers	Contract Number	Supplier Number
	8500000382	3100022428

9. **NIGP Codes for MAGIC**

- 9.1. State agency customers will be required to use NIGP codes when purchasing through Mississippi's Accountability System for Government Information and Collaboration (MAGIC). The following NIGP codes will be used for products purchased using the Master Cellular Voice and Data Services and Equipment Agreement.

NIGP Code:	Use For:
91575	Cellular Service
83935	Cellular Devices

10. **Contract**

The Master Cellular Voice and Data Services and Equipment Agreement contains all the terms and conditions associated with this award. The customer must not negotiate a separate contract or supplement. The customer may obtain a copy of this Agreement for their files at <http://www.transparency.mississippi.gov/default.aspx> :

- Select Contracts
- Under the heading labeled MAGIC Implementation - Budget Year 2015 Forward
- Click on the link labeled State of Mississippi Contracts

- Under INPUT CONTROLS change the View Contracts by: Graphs to CONTRACT DETAILS.
- Select your Contract Filters by narrowing your search by Agency and Vendor, if known.
- Look for the Vendor name, then Click on the MAGIC contract number listed in Contract ID column link.
- Click on documents listed under the Contract Attachments to view the contract.

11. **What Goes in Your Purchase/Audit File**

At a minimum, include

- A copy of the business requirements for the purchase.
- A copy of the purchase order.
- A copy of this memorandum.
- A copy of the request for quote.
- A copy of the written quotations from the vendors.
- The evaluation paperwork supporting the selection of the lower quote.
- Any additional project related documentation or justification.

12. **Exceptions to the Master Cellular Voice and Data Services and Equipment Agreement**

- 12.1. ITS acknowledges that an occasional exception to the Agreement may be required, where neither awarded vendor can provide the service. Exceptions are granted for coverage and/or functionality. Should a State Agency or Public University require an exception, the State Agency or Public University will submit to ITS a *Request Exception to the Master Cellular Agreement* form located at:

<http://www.its.ms.gov/Services/Pages/Cellular.aspx>

- 12.2. Based on the total cost of the purchase, Wireless Communication Commission approval may also be required. Refer to the following URL for more information:

<http://www.its.ms.gov/Services/Pages/Wireless.aspx>

12.3. Coverage

- 12.3.1. An exception for coverage will be considered for a user in a particular area that does not have usable signal from either of the awarded vendors. An exception will not be granted for a user who travels across the State and occasionally crosses into an area where signal strength is weak.

- 12.3.2. Submit the completed and signed Request Exception to the Master Cellular Agreement form, along with vendor quote(s) to ITS at cellular@its.ms.gov.

- 12.3.3. The awarded vendors will be contacted for concurrence.

- 12.3.4. With concurrence, ITS will authorize the State Agency or Public University to proceed using the quotes from the vendors that can provide the necessary coverage. Authorization will be documented in a CP-1 from ITS, in an e-mail copying both awarded vendors.

- 12.3.5. With concurrence and when the quote(s) for service are above \$50,000, ITS will conduct a competitive procurement to obtain the cellular service for the user.

12.4. Functionality

- 12.4.1. An exception for functionality will be considered for a user with a documented business need that neither of the awarded vendors can provide.
- 12.4.2. An exception for cellular enabled Apple watches will be considered provided the user submits a documented business need with the request.
- 12.4.3. Submit the completed and signed Request Exception to the Master Cellular Agreement form, along with vendor quote(s) to ITS at cellular@its.ms.gov.
- 12.4.4. The awarded vendors will be contacted for concurrence.
- 12.4.5. With concurrence, ITS will authorize the State Agency or Public University to proceed using the quotes from the vendors that can provide the necessary functionality. ITS authorization will be documented in a CP-1 from ITS, in an e-mail copying both awarded vendors.
- 12.4.6. With concurrence and when the quote(s) for service are above \$50,000, ITS will conduct a competitive procurement to obtain the cellular service for the user.

13. To Report Problems or Request Assistance

- 13.1. If you have any problems with your cellular order, please let ITS know. We suggest you notify the vendor of the problem in writing and send a copy to ITS. You may contact us in writing by one of the following ways:
 - E-mail: cellular@its.ms.gov
 - FAX: (601) 713-6380
 - Mail: ITS, 3771 Eastwood Drive, Jackson, MS 39211
- 13.2. If you have questions about using the Master Cellular Voice and Data Service and Equipment Agreement or about these instructions for use, or any feedback that may help us to improve this process, please email cellular@its.ms.gov.
- 13.3. ITS is also available to host a "mini-class" on how to use our Master Cellular Voice and Data Service and Equipment Agreement at a customer's request. Please email cellular@its.ms.gov if interested.

Copies of this document are available on the Internet at:

<https://www.its.ms.gov/Services/Pages/Cellular.aspx>